GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Prakasam District – Sri Shaik Moula Saheb, the then Tahsildar, P.C. Palli (M), Prakasam District (Retd) - Violation of APCS (Conduct) Rules, 1964 – Departmental proceedings under rule 20 of A.P.C.S. (CC & A) Rules, 1991 - Articles of charges – Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.RT.No. 345 **Dated: 21-06-2021.**
Read:-

G.O.Ms.No.143, Revenue (Vig.III) Department, Dt:21.06.2021

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ORDER:

In pursuance of the sanction accorded in the reference read above, it is proposed to hold an enquiry against Sri Shaik Moula Saheb, the then Tahsildar, P.C. Palli (M), Prakasam District (Retd) in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of charges (Annexure—I). A statement of imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure – III & IV).

3. Sri Shaik Moula Saheb, Tahsildar (Retd) is directed to submit, within 10 days of the receipt of this order, a written statement of his defense.

4. Sri Shaik Moula Saheb, Tahsildar (Retd) is informed that an enquiry will be held only in respect of those articles of charges as are not admitted. He should therefore, specifically admit or deny each article of charge.

5. Sri Shaik Moula Saheb, Tahsildar (Retd) is further informed that if he does not submit his written statement of defense on or before the date specified in Para—3 above, further action will be processed based on the material available.

6. Attention of Sri Shaik Moula Saheb, the then Tahsildar, P.C. Palli (M), Prakasam District (Retd) is invited to Rule 24 of A.P.C.S (Conduct) Rules 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri Shaik Moula Saheb, Tahsildar (Retd) is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. USHARANI,
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Shaik Moula Saheb, the then Tahsildar, P.C. Palli (M), Prakasam District (Retd) through the Chief Commissioner of Land Administration, A.P., Vijayawada.

Copy to:
The Chief Commissioner of Land Administration, A.P., Vijayawada.
The Collector & District Magistrate, Prakasam District, Ongole.
Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-I

ARTICLE OF CHARGES FRAMED AGAINST SRI SHAIK MOULA SAHEB, THE THEN TAHSILDAR, P.C. PALLI (M), PRAKASAM DISTRICT (RETD).

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Article of Charge – I:

That Sri Sk. Moula Saheb, while working as Tahsildar, P.C.Palli Mandal has made irregular entries in the ROR in respect of the lands in Sy.Nos.900,1247, 1249,1269, 1340,1341, 1427, 1429, 1445, 1449, 1644, 1648,1650, and 1662 of Pedairlapadu village of P.C.Palli Mandal which are classified as dotted lands/inam lands/ Endowment lands, in favour of the individuals shown below, violated the A.P.Assigned (POT) Act, 1971 and other relevant Acts and Rules.

Sl. No	Name of the individual	Survey No	Classification	Extent (Ac.Cts)
1	Aloori Adireddy s/o Venkata Reddy	1427/2	Dotted land	5.00
2	Aloori Brahma Reddy s/o Adireddy	1429/1A	Dotted land	3.00
3	Alooru Veera Venkata Reddy	1429/2	Dotted land	3.00
4	Alooru Sudhakar s/o Thirupathaiah	1245/2	Dotted land	4.33
5	Chilakala Nagalakshmi w/o Thirupalureddy	1246/4	Dotted land	3.04
		1662/2	Dotted land	1.81
6	Pilli Krishna Reddy s/o Nagireddy	1247/2	Dotted land	3.00
7	Pilli Krishna Reddy s/o Nagireddy	1247/1A	Dotted land	2.00
8	Chilakala Venkatamma w/o Narasimham	1249/1	Dotted land	0.73
		1249/3	Dotted land	4.05
9	Chilakala Thirupalu Reddy s/o Narasimham	1249/2	Dotted land	5.00
10	Chilakala Venkateswarlu s/o Narasimham	1662/1	Dotted land	4.94
11	Devarapu Venkatalakshmamma w/o Peddanna	1644/2	Dotted land	2.30
12	Namburi Subba Rao s/o Venkata Subbaiah	900/2	Dotted land	2.50
13	Namburi Nageswara Rao s/o Venkata Subbaiah	1648/3	Dotted land	0.99
		1650/2		1.49
14	Namburi Venkata Narayana s/o Venkata Narayana	945/1	Kammara Inam	6.30
15	Namburi Venkateswarlu s/o Venkaiah	945/2	Kammara Inam	3.00
16	Namburi Lakshmi w/o China Narasimham	945/3	Kammara Inam	3.32
		1651/2	Dotted land	0.62
17	Bathula Kondamma w/o China Kondaiah	1340/1	Dotted land	3.13
		1341/1	Dotted land	1.87
18	Kotapati Kondaiah s/o Borraiah	1269/5	Sri Malleswara swamy temple	5.00

Thus, Sri Sk.Moula Saheb, the then Tahsildar, P.C.Palli now retired from service deliberately violated the rules, which amounts to misconduct and exhibited lack of integrity, devotion to duty which is unbecoming for Government Servant and thereby violated Rule 3 A.P.C.S (Conduct) Rules, 1964. Hence, the Charge.

(Contd....Page.2)

Article of Charge – II:

That Sri Shaik Moula Saheb while working as Tahsildar, P.C.Palli has made the above mutations in ROR and webland without proper enquiry and without examining the original status of the lands basing on the DK pattas said to be issued in the year 2007 which are seems to be fabricated and in violation of relevant Acts and Rules.

Thus, Sri Sk.Moula Saheb, the then Tahsildar, P.C.Palli now retired from service deliberately violated the rules, which amounts to misconduct and exhibited lack of integrity, devotion to duty which is unbecoming for Government Servant and thereby violated Rule 3 APCS (Conduct) Rules,1964. Hence the Charge.

Article of charge - III:

That Sri Shaik Moula Saheb while working as Tahsildar, P.C.Palli made the above entries without maintaining the mutation files properly and the said files were not traced Tahsildar's Office, P.C.Palli for verification.

Thus, Sri Sk.Moula Saheb, the then Tahsildar, P.C.Palli now retired from service deliberately violated the rules, which amounts to misconduct and exhibited lack of integrity, devotion to duty which is unbecoming for Government Servant and thereby violated Rule 3 APCS (Conduct) Rules,1964. Hence the Charge.

V. USHARANI,
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI SHAIK MOULA SAHEB, THE THEN TAHSILDAR, P.C. PALLI (M), PRAKASAM DISTRICT (RETD).

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Sri Namburi Thirupathi Rao S/o Venkata Subbaiah, Desireddipalli H/o Peda Irlapadu village, P.C.Palli Mandal, has filed an allegation petition alleging that Sri Sk.Moula Saheb, Tahsildar, P.C.Palli and Sri Bala Venkata Reddy, Peda Irlapadu village, P.C.Palli Mandal have committed grave irregularities in transferring the DK lands assigned to SCs and others as shown below and thereby earning illegally.

Sl.No	Survey No.	Extent Ac.Cts	Name of the original assignee	Khata No.	Name of the present Pattadar	Khata No.
1	1427/2	5.00	Battula Bakkaiah	675	Aluri Adireddy S/o Venkatareddy	1736
2	1429/1	3.00	Jada Chinnaiah	208	Aluri Brahmareddy S/o Adireddy	1698
3	1429/2	3.00	Jada Chinnaiah	208	Aluri Veera Venkata Reddy S/o Venkata Reddy	1719
4	1245/2	4.33	Challa Venkataiah S/o China Venkataaiah	155	Aluri Sudhakar S/o Thirupathaiah	1699
5	1246/4	3.04	Polu Malakondaiah S/o Malakondaiah	177	Chilakala Nagalakshmi W/o Thirupalu reddy	1943
6	1247/2	3.00	Challa Venkataiah S/o Venkataiah	94	Pilli Krishnareddy S/o Nagireddy	1941
7	1247/1A	2.16	Govt. land		Pilli Krishna Reddy S/o Nagireddy	1941
8	1249/1	0.72	Govt. land		Chilakala Venkatamma S/o Narasimham	1743
9	1249/2	5.03	Chilakala Malakondaiah	762	Chilakala Thirupalureddy S/o Narasimham	1689
10	1249/3	4.05	Govt. land		Chilakala Venkatamma W/o Narasimham	1743
11	1662/1	4.94	Bathula Kondaiah S/o Kondaiah	60	Chilakala Venkateswarlu S/o Narasimham	1942
12	1662/2	1.81	Challa Venkataiah	668	Chilakala Nagalakshmi W/o Thirupalureddy	1943
13	1644/2	5.03	Desireddy China Polaiah S/o China Polaiah	127	Dwarasila Ramulamma W/o Malyadri	1932
14	900/2	2.50	Namburi Malakondaiah S/o Thirupathaiah	404	Namburi Subbarao S/o Venkata Subbaiah	1926

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15	1650/2	1.49	Namburi Malakondaiah S/o Thirupathaiah	404	Namburi Nageswara Rao S/o Venkata subbaiah	1927
16	1648/3	0.99	Namburi Malakondaiah	404	Namburi Nageswara Rao S/o Venkata subbaiah	1927
17	945/1	6.30	Mangalimanyam		Namburi Venkata Narayana S/o Venkataiah	1844
18	945/2	3.00	Mangalimanyam		Namburi Venkateswarlu S/o Venkataiah	1845
19	945/3	3.32	Mangalimanyam		Namburi Lakshmi W/o China Narasimham	1839
20	64/1	4.20	Namburi Venkataswamy S/o Pedda Subbaiah	74	Namburi Seshaiah S/o Pedda Subbaiah	74

The petitioner has requested to enquiry into the allegations of tampering/creating fake DK pattas and take necessary action against the delinquent officials.

2. The District Collector, Prakasam has appointed the Special Deputy Collector, KRRLC, Ongole as Inquiry officer to enquire into the matter and furnish a detailed report to take further action in this matter.

3. Accordingly, the Special Deputy Collector, KRRLC, Ongole has enquired into the matter and furnished enquiry report. As could be seen from the enquiry report, it was observed that the Enquiry Officer without verifying the matter in detail simply reiterated the explanation offered by the delinquent Tahsildar.

4. The Enquiry Officer has reported that on the verification of the village records regarding the allegations levelled against the Tahsildar, P.C.Palli and VRO, Peda Irlapadu., he was observed that the DK pattas were granted in favour of the beneficiaries who are in possession of the land, duly resuming the DK pattas issued earlier and on presenting the applications through Mee seva by the new assignees and after due enquiry in the village as there are no objections, the entries were made in on-line records.

He further reported that Sri N.Thirupatha Rao has attended before the Tahsildar and given written statements that he is withdrawing the allegation petition and during enquiry in the village, it was not proved that the Tahsildar and VRO have resorted to any malpractice in transferring the DK lands.

5. On examining the report of the Enquiry Officer, the following lapses were noticed. The Enquiry Officer has not mentioned in his report that;

a. Whether the files relating to resumption of lands assigned to the original beneficiaries have been verified or not?

b. Whether procedure has been followed while granting DK pattas to the new beneficiaries or not ?

c. Whether the procedure prescribed under ROR Act has been followed while granting PPBs/TDs to the new beneficiaries or not?

d. Reasons for granting of PPBs/TDs mere basing on the Notarized affidavits and unregistered settlement deeds?

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6. On perusal of the above lapses, the Special Deputy Collector, KRRC, Ongole, was directed to submit detailed report regarding the above lapses. Accordingly, the SDC, KRRC, Ongole vide his ref.dt:03.03.2020 has furnished replies regarding the issues raised by the Collector, Prakasam.

a. The said files are not available in the office of the Tahsildar. Hence, not verified

b. In the absence of the files unable to submit whether procedure followed or not

c. In the absence of the files unable to submit whether procedure as per ROR Act followed or not

7. With regard to the reasons for granting of PPBs/TDs were basing on the notarized affidavits and unregistered settlement deeds, the SDC, KRRC, Ongole has reported that he has called for a further report from the Tahsildar, PC Palli and as per the report of the Tahsildar, PC Palli it is observed that the mutation files, DK register and assignment files in respect of the lands shown below are not available in the office and that 1-B Khatas have been entered in newly opened 1-B Register and that though the assignment made in the year 2006, the assignees applied for mutation in the years 2017 and 2018 only. The SDC further reported the following:

i. As per RSR of Pedairlapadu village, originally S.Nos. 900, 1247, 1249, 1269, 1340, 1341, 1427, 1429, 1445, 1449, 1644, 1648, 1650 and 1662 are dotted lands and Sy.No. 836/2 is patta land, Sy.No. 945 is Potter Inam, Sy.No. 1269 is Sri Malleswaraswamy Temple is Pattadar and Sy.Nos. 1445 and 1449 are forest lands;

ii. The said lands have been resumed in the year 2007 and granted DK pattas to the present enjoydars by the then Tahsildar Sri B.Anandaram working during 2005 to 2007. The report of the Revenue Inspector revealed that the said lands have been alienated by the assignees to the present assignees by way of unauthorized purchase subsequently DK pattas have been granted to the present enjoydars in the year 2007. After elapse of 11 years the said assignees have applied for mutation in the year 2017 & 2018. The then Tahsildar, Sri Sk.Moula Saheb who worked from 30.06.2014 to 30.11.2018 (retired in the year 2018 at PC Palli) has mutated the names of the said assignees and granted PPBs/TDs. But none of the files are available in the office of the Tahsildar, PC Palli and at present the land is under the possession and enjoyment of the present assignees. Hence, it attracts the provisions of the A.P. Assigned Lands (POT) Act, 1977.

iii. Sy.No. 945 is Kummari Inam. The present enjoydars have not shown any valid documents to prove their title/ryotwari patta. Hence, it attracts Inam (conversion into ryotwari) Abolition Act, 1956 and subsequent amendments to initiate further action in the matter.

Iv Sy.No. 1269 measuring Ac. 20.65 cents is Inam land noted in the name of Manager for the time being of Sri Malleswara Swamy temple. Hence, this land is an endowment land allotted for maintenance of the temple. But instant case the Tahsildar has mutated in the name of third party. Hence, it comes under A.P. Chaitable and Hindu Religious Institutions and Endowments Act, 1987 and under purview of Amendment Act 16 of 2013.

v. Sy.Nos. 1445 and 1449 are Forest lands granted assignment pattas. The Forest lands attracts the ROFR Act, 2006 to issue assignment pattas.

8. The Special Deputy Collector, KRRC, Ongole, has finally concluded that the assignment pattas said to be issued in the year 2007 might be issued with previous date in the year 2017. If so, only they may be applied for mutation in the year 2017. The then Tahsildars while issuing assignment pattas and mutate the names of assignees in the webland, they are not examined the original status of the lands as

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per the record and not followed the Acts, i.e. A.P. Assigned lands (POT) Act, 1977, Inam (Conversion into Ryotwari) Abolition Act, 1956, Amendment Act 16 of 2013 of Inam Abolition Act, 1956 and A.P. Charitable and Hindu Religious Institutions Land Endowments Act, 1987 and ROR Act. The SDC has recommended to initiate necessary action on the responsible officers as per rules in force.

V. USHARANI,
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE – III

LIST OF DOCUMENTS BY WHICH ARTICLE OF CHARGES FRAMED AGAINST SRI SHAIK MOULA SAHEB, THE THEN TAHSILDAR, P.C. PALLI (M), PRAKASAM DISTRICT (RETD) ARE PROPOSED TO BE SUSTAINED

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1.The Special Deputy Collector, KRRLC, Ongole, Rc.C.Nil/2018, Dt:05.09.2018.
2.The Special Deputy Collector, KRRLC, Ongole, Rc.C.Nil/2020, Dt:03.03.2020.

V. USHARANI,
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE – IV

LIST OF WITNESSES BY WHOM ARTICLE OF CHARGES FRAMED AGAINST SRI SHAIK MOULA SAHEB, THE THEN TAHSILDAR, P.C. PALLI (M), PRAKASAM DISTRICT (RETD) ARE PROPOSED TO BE SUSTAINED

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--Nil—

V. USHARANI,
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER